

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

In re: PHARMACEUTICAL INDUSTRY
AVERAGE WHOLESALE PRICE
LITIGATION

)
)
) MDL No. 1456
)
)

) Civil Action No. 01-12257-PBS
)

) Hon. Patti B. Saris
)

THIS DOCUMENT RELATES TO:

)
)
United States ex rel. Edward West, et al., v.
Ortho-McNeil Pharmaceutical, Inc.
)

) Subcategory Docket No. 06-12299-PBS
)
)

STATEMENT NOTING THE DEATH OF RELATOR EDWARD WEST

Pursuant to Rule 25(a), undersigned counsel for defendant Ortho-McNeil Pharmaceutical, Inc., notes the death during the pendency of this action of Edward West, Relator. We are advised that Mr. West died of natural causes sometime between November 4 and November 10, 2008.

Date: December 8, 2008

Respectfully submitted,

ORTHO-MCNEIL PHARMACEUTICAL,
INC.

By: /s/ Scott D. Stein
One of Its Attorneys

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CERTIFICATE OF SERVICE

I, Brad Robertson, certify that on December 8, 2008, I electronically filed the foregoing document with the Clerk of the Court for the District of Massachusetts using the court's CM/ECF system and served the same on the following individuals by depositing a copy in the U.S. mail, first-class postage pre-paid:

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